

2005 DRAFTING REQUEST

Bill

Received: **03/07/2005**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Ronald Brown (608) 266-8546**

By/Representing: **Katie Mnuk**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Elections - miscellaneous
Local Gov't - counties**

Extra Copies: **MES - 1**

Submit via email: **YES**

Requester's email: **Sen.Brown@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Vacancies in the office of county highway commissioner

Instructions:

Per attached E mail, 3/7/05.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 03/18/2005	jdyer 03/23/2005		_____			
/1			chaugen 03/23/2005	_____	lnorthro 03/23/2005		
/2	jkuesel 05/25/2005	jdyer 05/25/2005	jfrantze 05/25/2005	_____	sbasford 05/25/2005		
/3	jkuesel	kfollett	jfrantze	_____	lnorthro	lnorthro	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	10/07/2005	10/07/2005	10/07/2005	_____	10/07/2005	12/07/2005	

FE Sent For:

*none
needed*

<END>

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	10/07/2005	10/07/2005	10/07/2005	_____	10/07/2005		

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13	jkuesel 12/7/05	13 kjf 10/6	10/6	10/7	10/7		

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/?	jkuesel 03/18/2005	jdye 03/23/2005					
/1 /2	jkuesel 5/25	1/2 S/jld 5/25	chaugen 03/23/2005		Inorthro 03/23/2005		

FE Sent For:

5/25
<END>

DUSTY

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1/1	jkuesel	3/18/05 jld	ch 3-23	ch 3-23 PS			

FE Sent For:

<END>

Kuesel, Jeffery

From: Mnuk, Katie
Sent: Tuesday, March 08, 2005 1:23 PM
To: Kuesel, Jeffery
Subject: RE: request to amend 17.22 (2) (b) for vacancies in the office of county highway commissioner

Jeff, that's correct. Please let me know if you have any additional questions.

Thanks,
Katie

-----Original Message-----

From: Kuesel, Jeffery
Sent: Monday, March 07, 2005 2:40 PM
To: Mnuk, Katie
Cc: Shovers, Marc; Dykman, Peter
Subject: FW: request to amend 17.22 (2) (b) for vacancies in the office of county highway commissioner

Katie,

I will enter your request. I assume you intend to permit the vacancy to be filled at any time within 90 days after the vacancy occurs.

Jeff Kuesel

-----Original Message-----

From: Dykman, Peter
Sent: Monday, March 07, 2005 2:03 PM
To: Kuesel, Jeffery; Shovers, Marc
Subject: request to amend 17.22 (2) (b) for vacancies in the office of county highway commissioner. Whose is it to draft?

request to amend 17.22 (2) (b) for vacancies in the office of county highway commissioner. Whose is it to draft?

17.22(2)(b)

(b) In the office of the county highway commissioner, by appointment by the county highway committee. A person so appointed shall hold office until the first Monday of January next succeeding the person's appointment, and the person's successor shall be appointed by the county board at its first regular meeting next succeeding such appointment and shall take office on the Tuesday following the first Monday of January next succeeding and shall hold office for term as prescribed in sub. (1).

Katie Mnuk in Sen Brown's office wants a draft that changes the timing of filling the vacancy from the first regular meeting to 90 days after the occurrence of the vacancy.

Kuesel, Jeffery

To: Mnuk, Katie
Subject: RE: request to amend 17.22 (2) (b) for vacancies in the office of county highway commissioner

Katie,
I will make the change.
Jeff Kuesel

-----Original Message-----

From: Mnuk, Katie
Sent: Friday, March 11, 2005 9:11 AM
To: Kuesel, Jeffery
Subject: RE: request to amend 17.22 (2) (b) for vacancies in the office of county highway commissioner

Jeff, based on conversations subsequent to our request, we'd like to change the time to 120 days after the vacancy occurs (instead of 90). Please let me know if you have any additional questions

-----Original Message-----

From: Kuesel, Jeffery
Sent: Monday, March 07, 2005 2:40 PM
To: Mnuk, Katie
Cc: Shovers, Marc; Dykman, Peter
Subject: FW: request to amend 17.22 (2) (b) for vacancies in the office of county highway commissioner

Katie,
I will enter your request. I assume you intend to permit the vacancy to be filled at any time within 90 days after the vacancy occurs.

Jeff Kuesel

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From: Dykman, Peter
Sent: Monday, March 07, 2005 2:03 PM
To: Kuesel, Jeffery; Shovers, Marc
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17.22(2)(b)

(b) In the office of the county highway commissioner, by appointment by the county highway committee. A person so appointed shall hold office until the first Monday of January next succeeding the person's appointment, and the person's successor shall be appointed by the county board at its first regular meeting next succeeding such appointment and shall take office on the Tuesday following the first Monday of January next succeeding and shall hold office for term as prescribed in sub. (1).

Katie Mnuk in Sen Brown's office wants a draft that changes the timing of filling the vacancy from the first regular meeting to 90 days after the occurrence of the vacancy.

2005

Date (time)
needed

(DNOTE)
Mon 3/28

LRB - 2353 / 1

BILL

JTR : jld :

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *vacancies in the office of county highway commissioner.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2353/2ins
JTK.....

(commissioner)

Currently, if a county has a county executive or administrator, the executive or administrator appoints the county highway commissioner, subject to certain qualifications. Otherwise, the ~~county highway~~ commissioner is elected by the county board of supervisors (county board). Unless otherwise provided by county ordinance, the commissioner serves until the ~~2nd~~^{second} year following his or her election and if reelected serves for a ~~2~~^{two}-year term. A vacancy in the office of commissioner is filled by temporary appointment of the county highway committee. The temporary appointee serves until the first Monday in January following his or her appointment. The county board then must appoint a regular successor at its first regular meeting after the vacancy occurs. The regular successor's term begins one day after the term of the temporary appointee expires.

This bill provides that the county board must elect a regular successor to a temporary appointee serving as ~~county highway~~ commissioner at a meeting of the county board held no later than 120 days after the date on which the vacancy occurs. Under the bill, the regular successor takes office on the Tuesday after the first Monday in January following his or her election and the temporary appointee serves until his or her successor is elected and qualified. The bill also provides that this procedure applies only if the county board regularly elects the commissioner.

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2353/lins
JTK.....

SECTION 1. 17.22 (2) (b) ^X of the statutes is amended to read:

17.22 (2) (b) In the office of the county highway commissioner, by appointment by the county highway committee. A person so appointed shall hold office until ~~the first Monday of January next succeeding the person's appointment and the~~ his or her successor is elected or appointed and qualified. The person's successor, if the office is regularly filled by election, shall be appointed ~~elected~~ by the county board at its ~~first regular a meeting next succeeding such appointment and held no later than 120~~ days [✓] after the date on which the vacancy occurs. ~~The person's successor, if the office~~ is regularly filled by appointment, shall be appointed as provided in s. 83.01 (1). The [✓] person's successor shall take office on the Tuesday following the first Monday of January next succeeding the date of election or appointment and shall hold office for term as prescribed in sub. (1).

History: 1983 a. 192; 1991 a. 316.

SECTION 2. Initial applicability.

(1) This act first applies to with respect to vacancies occurring in the office of county highway commissioner on the effective date of this subsection. [✓]

(END)

d-note
↓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2353/1dn

JTK:m...
Jld

Senator Brown:

1. The current law governing the filling of vacancies in the office of county highway commissioner does not take cognizance of the fact that under s. 83.01 (1), stats., if a county has an executive or administrator (such as Eau Claire county), the executive or administrator appoints the commissioner; otherwise, the county board elects the commissioner. This draft, therefore, attempts to clarify that the procedure for designation by the county board of a regular successor to a temporary appointee serving as commissioner applies only if the board regularly elects the commissioner in the first place. *
 2. Currently, the term of the regular successor begins on the Tuesday after the first Monday in January following his or her appointment (election). However, the term of the temporary appointee expires on the first Monday in January following his or her appointment. Therefore, if a temporary appointee were appointed late in one year and the regular successor were not appointed until after the beginning of the new year, there would be a one-year gap between the end of the temporary appointee's term and the beginning of the regular successor's term. This draft addresses this potential problem by providing that the temporary appointee serves until his or her regular successor is elected or appointed and qualified. If a vacancy occurs late in a year, the county board will then have the option of quickly appointing a regular successor or allowing the temporary appointee to serve for another year.
 3. In drafting this proposal, I also discovered some peripheral issues ^{that} ~~which~~ the draft does not address: *
- a. Under s. 83.01 (2), stats., a county may by ordinance establish a different term of service for the office of county highway commissioner than the one provided by law. The procedure for filling vacancies does not appear to take cognizance of this situation.
 - b. Under s. 17.22 (2) (b), stats., there is a one-day gap between the date that the term of office of a temporary appointee in the office of county highway commissioner expires and the date that the successor's term of office begins.
 - * c. Section 17.22 (1), stats., appears to want to say that the term of office of a regular successor in the office of county highway commissioner is two years. Instead, it says that the regular successor's term ends on the first Monday in January of the 2nd year ^{the second}

succeeding his or her appointment (election). Therefore, if the appointment is made on December 31, the term would be almost one year shorter than if the appointment were made on January 1.

If you would like to address any of these issues, please let me know.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2353/1dn
JTK:jld:ch

March 23, 2005

Senator Brown:

1. The current law governing the filling of vacancies in the office of county highway commissioner does not take cognizance of the fact that under s. 83.01 (1), stats., if a county has an executive or administrator (such as Eau Claire County), the executive or administrator appoints the commissioner; otherwise, the county board elects the commissioner. This draft, therefore, attempts to clarify that the procedure for designation by the county board of a regular successor to a temporary appointee serving as commissioner applies only if the board regularly elects the commissioner in the first place.

2. Currently, the term of the regular successor begins on the Tuesday after the first Monday in January following his or her appointment (election). However, the term of the temporary appointee expires on the first Monday in January following his or her appointment. Therefore, if a temporary appointee were appointed late in one year and the regular successor were not appointed until after the beginning of the new year, there would be a one-year gap between the end of the temporary appointee's term and the beginning of the regular successor's term. This draft addresses this potential problem by providing that the temporary appointee serves until his or her regular successor is elected or appointed and qualified. If a vacancy occurs late in a year, the county board will then have the option of quickly appointing a regular successor or allowing the temporary appointee to serve for another year.

3. In drafting this proposal, I also discovered some peripheral issues that the draft does not address:

a. Under s. 83.01 (2), stats., a county may by ordinance establish a different term of service for the office of county highway commissioner than the one provided by law. The procedure for filling vacancies does not appear to take cognizance of this situation.

b. Under s. 17.22 (2) (b), stats., there is a one-day gap between the date that the term of office of a temporary appointee in the office of county highway commissioner expires and the date that the successor's term of office begins.

c. Section 17.22 (1), stats. appears to want to say that the term of office of a regular successor in the office of county highway commissioner is two years. Instead, it says that the regular successor's term ends on the first Monday in January of the second

year succeeding his or her appointment (election). Therefore, if the appointment is made on December 31, the term would be almost one year shorter than if the appointment were made on January 1.

If you would like to address any of these issues, please let me know.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Kuesel, Jeffery

To: Mnuk, Katie
Subject: RE: LRB 2353/1

Katie,
I will take care of it.

Jeff Kuesel

-----Original Message-----

From: Mnuk, Katie
Sent: Friday, May 06, 2005 2:46 PM
To: Kuesel, Jeffery
Subject: RE: LRB 2353/1

Jeff, could you please go ahead and add these changes to the draft?

Thanks,
Katie

From: Kuesel, Jeffery
Sent: Monday, April 18, 2005 8:23 AM
To: Mnuk, Katie
Subject: RE: LRB 2353/1

Katie,

If you would like to address the issues I raised in my drafter's note that are not covered by the draft, you might consider doing the following:

3.a. I would amend s. 83.01 (2), stats. to provide that if the county establishes a different term of office for the highway commissioner by ordinance, as currently permitted, it shall be for a specified number of *years*. Then, I would amend s. 17.22 (1), stats., which currently provides that the term of a regular successor expires in the 2nd year following his or her appointment, to say if that if county changes the term of office, the successor serves for the same term provided by county ordinance.

b. Under s. 17.22 (2) (b), stats., I would have the successor take office on the same day that the incumbent's term expires. As soon as the day begins, the incumbent is gone. The successor may then take over. This is the same as provided for all other offices, as far as I know.

c. In s. 17.22 (1), stats., instead of providing that the successor serves until the first Monday in January in the 2nd year following his or her appointment, I would provide that the successor serves for two years (unless the county changes the number of years by ordinance).

Jeff Kuesel

-----Original Message-----

From: Mnuk, Katie
Sent: Monday, April 11, 2005 4:11 PM
To: Kuesel, Jeffery
Subject: LRB 2353/1

Jeff, your drafter's note (attached) for LRB 2353/1 (filling vacancies for county highway commissioners) raised three issues under point #3. Can you suggest remedies/corrections for each of the three problems raised (a-c)?

Please let me know if you have suggestions --
Thanks,
Katie

<< File: Highway Commissioners drafter's note.pdf >>



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2353/1 2

JTK:jld:ch

Wanted Wed 5/25

2005 BILL

Regen

terms of office of and

1

AN ACT *to amend* 17.22 (2) (b) of the statutes; **relating to** vacancies in the office

2

of county highway commissioner.

Analysis by the Legislative Reference Bureau

Currently, if a county has a county executive or administrator, the executive or administrator appoints the county highway commissioner (commissioner), subject to certain qualifications. Otherwise, the commissioner is elected by the county board of supervisors (county board). Unless otherwise provided by county ordinance, the commissioner serves until the second year following his or her election and if reelected serves for a two-year term. A vacancy in the office of commissioner is filled by temporary appointment of the county highway committee. The temporary appointee serves until the first Monday in January following his or her appointment. The county board then must appoint a regular successor at its first regular meeting after the vacancy occurs. The regular successor's term begins one day after the term of the temporary appointee expires.

This bill provides that the county board must elect a regular successor to a temporary appointee serving as commissioner at a meeting of the county board held no later than 120 days after the date on which the vacancy occurs. Under the bill, the regular successor takes office on the ~~Tuesday~~ *Monday* after the first Monday in January following his or her election and the temporary appointee serves until his or her

BILL

successor is elected and qualified. The bill also provides that this procedure applies only if the county board regularly elects the commissioner. *In addition, the bill provides that, if a county establishes a different term for the office of county highway commissioner, it shall be for a specified number of years.*

INS
2-11
✓ **The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

SECTION 1. 17.22 (2) (b) of the statutes is amended to read:

17.22 (2) (b) In the office of the county highway commissioner, by appointment by the county highway committee. A person so appointed shall hold office until the first Monday of January next succeeding the person's appointment and the his or her successor is elected or appointed and qualified. The person's successor, if the office is regularly filled by election, shall be appointed elected by the county board at its first regular a meeting next succeeding such appointment and held no later than 120 days after the date on which the vacancy occurs. The person's successor, if the office is regularly filled by appointment, shall be appointed as provided in s. 83.01 (1). The person's successor shall take office on the Tuesday following the first Monday of January next succeeding the date of election or appointment and shall hold office for a full term as prescribed in sub. (1).

INS
2-12
✓ **SECTION 2. Initial applicability.**

(1) This act first applies to with respect to vacancies occurring in the office of county highway commissioner on the effective date of this subsection.

(END)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2353/2ins
JTK.....

INS 2-1:

~~X~~

SECTION 1. 17.22 (1) of the statutes is amended to read:

17.22 (1) Vacancies in any appointive county office shall be filled by appointment for the residue of the unexpired term by the appointing power and in the manner prescribed by law for making regular full term appointments thereto; but ~~the term of any person~~ [✓] elected or appointed by the county board to fill a permanent vacancy in the office of county highway commissioner shall ~~terminate the first Monday of January of the second year next succeeding the appointment serve for the term prescribed under s. 83.01 (2).~~ [✓] All appointments, subject to confirmation by the county board, made while the board is not in session, shall be acted upon by said board at its meeting next following such appointment.

History: 1983 a. 192; 1991 a. 316.

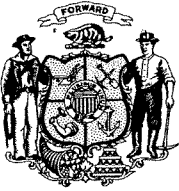
INS 2-12:

~~X~~

SECTION 2. 83.01 (2) of the statutes is amended to read:

~~*~~ 83.01 (2) TERM. Unless the county board establishes ~~a different term of service~~ ^A by ordinance, a term of a different number of years, the county highway commissioner shall serve for a term of 2 years, except that [✓] upon his or her first election the county highway commissioner shall serve until the first Monday in January of the 2nd year succeeding the year of the election, ~~and if reelected it shall be for a 2-year term.~~ [✓]

History: 1973 c. 262; 1977 c. 29 ss. 1654 (8) (c), (d), (f), 1656 (43); 1977 c. 273; 1981 c. 217; 1985 a. 29; 1985 a. 223 s. 5; 1989 a. 171; 1991 a. 316; 1995 a. 201; 1997 a. 35.



(DND)

State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2353/2 3

JTK:jld

↓
E. Kjf

Mon 10/10

2005 BILL

Regen

for filling of
vacancies in
the office of
commissioner
by the
county
board

- 1 AN ACT *to amend* 17.22 (1), 17.22 (2) (b) and 83.01 (2) of the statutes; **relating**
- 2 **to:** terms of office of and vacancies in the office of county highway commissioner.

Analysis by the Legislative Reference Bureau

Currently, if a county has a county executive or administrator, the executive or administrator appoints the county highway commissioner (commissioner), subject to certain qualifications. Otherwise, the commissioner is elected by the county board of supervisors (county board). Unless otherwise provided by county ordinance, the commissioner serves until the second year following his or her election and if reelected serves for a two-year term. A vacancy in the office of commissioner is filled by temporary appointment of the county highway committee. The temporary appointee serves until the first Monday in January following his or her appointment. The county board then must appoint a regular successor at its first regular meeting after the vacancy occurs. The regular successor's term begins one day after the term of the temporary appointee expires.

This bill provides that the county board must elect a regular successor to a temporary appointee serving as commissioner at a meeting of the county board held no later than 120 days after the date on which the vacancy occurs. Under the bill, the regular successor takes office ~~on the first Monday in January following his or her election~~ and the temporary appointee serves until his or her successor is elected and qualified. The bill also provides that ~~this procedure applies only if the county board regularly elects the commissioner.~~ In addition, the bill provides that, if a county

the

or appointed

upon his or her election or appointment
and qualification

BILL

establishes a different term for the office of county highway commissioner, it shall be for a specified number of years.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 17.22 (1) of the statutes is amended to read:

2 17.22 (1) Vacancies in any appointive county office shall be filled by
3 appointment for the residue of the unexpired term by the appointing power and in
4 the manner prescribed by law for making regular full term appointments thereto;
5 but the term of any person elected or appointed by the county board to fill a
6 permanent vacancy in the office of county highway commissioner shall ~~terminate the~~
7 first Monday of January of the second year next succeeding the appointment serve
8 for the term prescribed under s. 83.01 (2). All appointments, subject to confirmation
9 by the county board, made while the board is not in session, shall be acted upon by
10 said board at its meeting next following such appointment.

11 ✓
12 **SECTION 2.** 17.22 (2) (b) of the statutes is amended to read:

13 17.22 (2) (b) In the office of the county highway commissioner, by appointment
14 by the county highway committee. A person so appointed shall hold office until the
15 first Monday of January next succeeding the person's appointment and the his or her
16 successor is elected or appointed and qualified. The person's successor, if the office
17 is regularly filled by election, shall be appointed elected by the county board at its
18 first regular a meeting next succeeding such appointment and held no later than 120
19 days after the date on which the vacancy occurs. The person's successor, if the office
20 is regularly filled by appointment, shall be appointed as provided in s. 83.01 (1). The
20 person's successor shall take office on the Tuesday following the first Monday of

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1 ~~January next succeeding the date of election or appointment~~ ^{upon his or her election or} and shall hold office for
2 a full term as prescribed in sub. (1). ^{and qualification}

3 **SECTION 3.** 83.01 (2) of the statutes is amended to read:

4 83.01 (2) TERM. Unless the county board establishes a different term of service
5 by ordinance, a term of a different number of years, the county highway
6 commissioner shall serve for a term of 2 years, except that upon his or her first
7 ^{or appointment} election, the county highway commissioner shall serve until the first Monday in
8 January of the 2nd year succeeding the year of the election, and if reelected it shall
9 ^{or appointment} be for a 2-year term.

10 **SECTION 4. Initial applicability.**

11 (1) This act first applies to with respect to vacancies occurring in the office of
12 county highway commissioner on the effective date of this subsection.

13 (END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2353/3dn

JTK...*kgf*

Date

Senator Brown:

X In preparing this redraft I noticed that s. 83.01 (2), stats. *y* [SECTION 3 of the draft], still mentions that the county highway commissioner is elected [by the county board]. However, s. 83.01 *y*(1), stats., provides that in counties with an executive or administrator, the commissioner is appointed. *y* To coordinate with the changes we made in SECTION 2 of the draft, I have changed the references in s. 83.01 (2) to say "...election or appointment..." *y* Please let me know if this is not in accord with your intent.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2353/3dn
JTK:kjf:jf

October 7, 2005

Senator Brown:

In preparing this redraft I noticed that s. 83.01 (2), stats. [SECTION 3 of the draft], still mentions that the county highway commissioner is elected [by the county board]. However, s. 83.01 (1), stats., provides that in counties with an executive or administrator, the commissioner is appointed. To coordinate with the changes we made in SECTION 2 of the draft, I have changed the references in s. 83.01 (2) to say "...election *or appointment*...." Please let me know if this is not in accord with your intent.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Northrop, Lori

From: Mnuk, Katie
Sent: Wednesday, December 07, 2005 12:05 PM
To: LRB.Legal
Subject: Draft review: LRB 05-2353/3 Topic: Vacancies in the office of county highway commissioner

It has been requested by <Mnuk, Katie> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-2353/3 Topic: Vacancies in the office of county highway commissioner